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12 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
13 **SAN FRANCISCO DIVISION**

14 ANTHONY PETRU and MARCUS MATHIS,)
Individually and on Behalf of All Others)
15 Similarly Situated,)
16 Plaintiffs,)
17 vs.)
18 APPLE INC.; HACHETTE BOOK GROUP,)
INC.; HARPERCOLLINS PUBLISHERS,)
19 INC.; MACMILLAN PUBLISHERS, INC.;)
20 PENGUIN GROUP (USA) INC.; and SIMON)
& SCHUSTER, INC.,)
21 Defendants,)
22)

CASE NO. 3:11-CV-03892-EMC

**SUPPLEMENTAL NOTICE OF
PENDENCY OF ACTIONS OR OTHER
PROCEEDINGS**

[CIVIL LOCAL RULE 3-13]

Defendant HarperCollins Publishers L.L.C. (incorrectly sued herein as “HarperCollins Publishers, Inc.”), hereby submits this supplemental notice to the Court, pursuant to Civil Local Rule 3-12, of the pendency of additional actions which involve the same or similar subject matter and substantially all of the same parties as the instant action (“*Petru*”), pending in the United States District Court for the Southern District of New York:

- *Greene, et al. v. MacMillan, et al.* (11-cv-6019 S.D.N.Y.) (“*Greene*”)
- *Yastrab v. Hachette Book Group, Inc., et al.* (11-cv-6079 S.D.N.Y.) (“*Yastrab*”)¹

Plaintiffs’ counsel in the *Greene* and *Yastrab* actions did not file any of the Related Cases identified in Defendants’ August 26, 2011 Notice of Pendency of Actions or Other Proceedings. These two actions and the Related Cases all involve the same core group of defendants and the same conduct even though there may be some substantive differences amongst the *Greene* and *Yastrab* actions and the other Related Cases.

DATED: August 31, 2011

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: /s/ Raoul D. Kennedy
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¹ True and correct copies of the complaints in the *Greene* and *Yastrab* actions are attached hereto as Exhibits I and J.